

AMENDED IN ASSEMBLY MAY 5, 2011

AMENDED IN ASSEMBLY MARCH 29, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

ASSEMBLY BILL

No. 680

Introduced by Assembly Member Block

February 17, 2011

An act to add Section 72036 to the Education Code, relating to community colleges.

LEGISLATIVE COUNSEL'S DIGEST

AB 680, as amended, Block. Community college districts: Grossmont-Cuyamaca Community College District.

Existing law establishes the California Community Colleges, which are administered by the Board of Governors of the California Community Colleges. The board of governors provides general supervision over each community college district and performs specified functions. Each community college district is under the control of a board of trustees.

Existing law provides various procedures for the nomination and election of the governing boards of community college districts. Existing law specifies the number of members on the board, residency requirements, length of terms, and the drawing of trustee boundaries.

This bill would establish a procedure for the election of members, and the reapportionment of trustee areas of the governing board of the Grossmont-Cuyamaca Community College District.

The bill would provide that candidates for election to the board be nominated by trustee area, as defined, at a primary election held on the date of the statewide direct primary election. The 2 candidates receiving

the highest number of votes would be the nominees for the general election for that trustee area. The candidate receiving a majority of the votes cast in the general election would be elected to represent that district, and would hold office for a 4-year term, as specified. Members of the board holding office on the effective date of this act would continue to hold office, as specified.

The bill would provide that the governing board be composed of 5 to 9 members, as determined by the board. The board would be required to establish, abolish, or adjust trustee areas and terms of office, as specified.

~~This bill would require the board to set the boundaries of each trustee area before March 1, 2012, to reflect the 2010 decennial census. If the board fails to so set the boundaries, the county committee on school district organization would be required to set them before April 30, 2012.~~

This bill would provide that boundaries for trustee areas established by resolution of the governing board of the district or adopted by the county committee on school district organization prior to January 1, 2012, to reflect population changes enumerated in the 2010 decennial federal census shall be in effect when then the act becomes operative. The boundaries would be set so that the population of each area is in proportion to the other districts. Thereafter the boundaries may be adjusted, abolished, or rearranged as specified.

By imposing the above requirements on the Grossmont-Cuyamaca Community College District, the bill would impose a state-mandated local program.

The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.

This bill would provide that no reimbursement is required by this act for a specified reason.

Vote: majority. Appropriation: no. Fiscal committee: yes.
State-mandated local program: yes.

The people of the State of California do enact as follows:

- 1 SECTION 1. Section 72036 is added to the Education Code,
- 2 to read:
- 3 72036. Notwithstanding any other provision of law, the number
- 4 of members, the election of members, and the reapportionment of

1 trustee areas of the governing board of the Grossmont-Cuyamaca
2 Community College District shall be provided for pursuant to this
3 section.

4 (a) Candidates for election as a member of the governing board
5 of the district shall be nominated by trustee area at a district
6 primary election held on the date of the statewide direct primary
7 election. At the district primary election, the two candidates
8 receiving the highest number of votes within the trustee area shall
9 be nominees for the district general election for that trustee area,
10 and the nominee who receives a majority of the votes cast by the
11 voters of the trustee area in the district general election shall be
12 elected to represent that trustee area. The district general election
13 shall be held on the same date as the statewide general election.

14 Candidates for election as members of the governing board shall
15 file a declaration of candidacy as provided in this code. Each
16 member of the governing board elected at the district general
17 election shall hold office for a term of four years commencing on
18 the first Friday in December next succeeding his or her election.

19 The members of the governing board in office on the effective
20 date of the act that enacted this section at the 2011–12 Regular
21 Session of the Legislature shall hold office until the first Friday
22 in December of the year in which their respective terms of office
23 would otherwise have terminated, or until a successor qualifies
24 therefor.

25 (b) The territory of the district shall be divided into trustee areas
26 and one member of the governing board shall be elected from each
27 trustee area. A candidate for election as a member of the governing
28 board shall reside in, and be registered to vote in, the trustee area
29 he or she seeks to represent.

30 (c) The governing board of the district shall be composed of
31 not less than five members and not more than nine, as determined
32 by the governing board. Sections 5019 to 5030, inclusive, do not
33 apply to the governing board's determination of the number of
34 members pursuant to this subdivision. If the number of members
35 of the governing board is increased or decreased, the governing
36 board shall establish new trustee areas, abolish trustee areas, or
37 adjust the boundaries of trustee areas so that the number of trustee
38 areas is equal to the number of governing board members. If the
39 number of members of the governing board is increased, the
40 additional members of the governing board shall be elected at the

1 next regular general district election of board members occurring
2 at least 123 days after the governing board approved the increased
3 number of board members. Prior to the next district general
4 election, the governing board shall divide by lot the additional
5 trustee area positions that are created so that the term of one-half
6 of the board members elected to those positions shall expire on
7 the first Friday in December following the next district general
8 election. The term of the other board members elected to fill the
9 remainder of the additional positions shall expire on the first Friday
10 in December following the second district general election
11 succeeding their election.

12 ~~(d) The governing board shall set the boundaries of each trustee~~
13 ~~area before March 1, 2012, to reflect the population enumerated~~
14 ~~in the 2010 decennial federal census. If the governing board fails~~
15 ~~to set the boundaries before March 1, 2012, the county committee~~
16 ~~on school district organization shall do so before April 30, 2012.~~

17 *(d) Boundaries for trustee areas established by resolution of*
18 *the governing board of the district or adopted by the county*
19 *committee on school district organization prior to January 1, 2012,*
20 *to reflect population changes enumerated in the 2010 decennial*
21 *federal census shall be in effect when this act becomes operative.*

22 The boundaries of each trustee areas shall be set so that the
23 population of each area is, as nearly as may be, the same proportion
24 of the total population of the district as each of the other areas.
25 Thereafter, the boundaries of trustee areas shall be adjusted
26 pursuant to Section 5019.5 and may be abolished or rearranged as
27 otherwise provided in this code.

28 SEC. 2. No reimbursement is required by this act pursuant to
29 Section 6 of Article XIII B of the California Constitution because
30 the only costs that may be incurred by a local agency or school
31 district are the result of a program for which legislative authority
32 was requested by that local agency or school district, within the
33 meaning of Section 17556 of the Government Code and Section
34 6 of Article XIII B of the California Constitution.